



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**FRENKEL LAMBERT WEISS WEISMAN &  
GORDON, LLP**  
80 Main Street, Suite 460  
West Orange, NJ 07052  
(973) 325-8800  
Sean O'Brien, Esq.  
Attorneys for Secured Creditor Bank of America, N.A.

Order Filed on October 9, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:  
Anthony S. Sciancalepore.

Case No.: 18-27100-VFP

Debtor,

Chapter 13

Honorable Vincent F. Papalia

**CONSENT ORDER REGARDING JUNIOR LIEN TREATMENT IN CHAPTER 13  
PLAN**

The relief set forth on the following pages numbered two (2) through three (3) is hereby  
ORDERED.

**DATED: October 9, 2018**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

**Honorable Vincent F. Papalia  
United States Bankruptcy Judge**

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Debtor: Anthony S. Sciancalepore

Case No.: 18-27100-VFP

Caption of Order: CONSENT ORDER REGARDING JUNIOR LIEN TREATMENT IN  
CHAPTER 13 PLAN

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Debtor Anthony S. Sciancalepore, the Chapter 13 Debtor in the above referenced proceeding (the "Debtor"), having filed a Chapter 13 Plan (the "Plan") involving the real property located at 201 Carlton Avenue, East Rutherford, New Jersey 07073 (the "Property") on which Secured Creditor Bank of America, N.A., ("Bank of America" or "Secured Creditor") holds a junior mortgage lien, and it appearing that the Debtor intends to modify Secured Creditor's lien pursuant to 11 U.S.C. 1322(b)2 and reclassify the lien as fully unsecured and upon the mutual consent of Secured Creditor and the Debtor, and no further notice need be given, and good and sufficient cause appearing for the entry of the within Consent Order, it is hereby ORDERED AS FOLLOWS:

1. Secured Creditor's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan.
  2. The avoidance of Secured Creditor's second lien is contingent upon the Debtor's completion of the Plan and the Debtor's receipt of a Chapter 13 discharge.
  3. Secured Creditor shall retain its lien for the full amount due under the subject loan should the Property be sold, or should a refinance take place prior to the Plan's completion and entry of a discharge.
  4. Secured Creditor shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtor's Chapter 13 case or the conversion of the Debtor's Chapter 13 case to any other Chapter under the United States Bankruptcy Code.
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Debtor: Anthony S. Sciancalepore

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5. In the event that any entity, including the holder of the first lien on the Property forecloses on its security interest and extinguishes the Creditor's lien prior to the Debtor's completion of the Plan, Secured Creditor's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of sale.

6. Upon receipt of the Debtor's Chapter 13 discharge and completion of their Plan, the Order avoiding lien may be requested and obtained by Debtor from the Bankruptcy Court without further notice and recorded at the county recorder's office.

7. In the event that the Property is destroyed or damaged, pursuant to the mortgage, Secured Creditor is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.

8. Each party shall bear their own attorney's fees and costs incurred with the present case.

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Scura, Wigfield, Heyer & Stevens  
Attorneys for Chapter 13 Debtor



David L. Stevens, Esq.  
1599 Hamburg Turnpike  
Wayne, NJ 07470

Dated: October 5, 2018

Frenkel Lambert Weiss Weisman & Gordon LLP  
Attorneys for Secured Creditor



Sean O'Brien, Esq.  
80 Main Street, Suite 460  
West Orange, NJ 07052

Dated: October 9, 2018

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Anthony S. Sciancalepore  
 Debtor

Case No. 18-27100-VFP  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Oct 09, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 11, 2018.

db +Anthony S. Sciancalepore, 201 Carlton Ave., East Rutherford, NJ 07073-1003

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 11, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 9, 2018 at the address(es) listed below:

David L. Stevens on behalf of Debtor Anthony S. Sciancalepore dstevens@scuramealey.com, ecfbkfilings@scuramealey.com;dsklar@scuramealey.com;tscialla@scuramealey.com;mmack@scura.com;jesp osito@scuramealey.com

Denise E. Carlon on behalf of Creditor DITECH FINANCIAL LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Marie-Ann Greenberg magecf@magnettrustee.com

Rebecca Ann Solarz on behalf of Creditor DITECH FINANCIAL LLC rsolarz@kmllawgroup.com

Sean M. O'Brien on behalf of Creditor BANK OF AMERICA, N.A. sobrien@flwlaw.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6